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November 2, 2004

VIA ELECTRONIC AND OVERNIGHT MAIL

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station
Boston, MA 02110

**Re: Boston Gas Company, d/b/a/ KeySpan Energy Delivery N.E., Petition for
Approval of FVS Agreement with Distrigas, Docket No. D.T.E. 04-91**

Dear Ms. Cottrell

Attached for filing in the above referenced docket are the original and four (4) copies
the Motion of Bay State Gas Company for Leave to Intervene as Limited Participant.

Very truly yours,



Patricia M. French

cc: Julie Howley-Westwater, Esq
Thomas P. O'Neill, Esq.

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Boston Gas Company d/b/a/)
Key Span Energy Delivery Petition)
For Approval of Firm Vapor Service	
Agreement with Distrigas of MA LLC)

D.T.E. 04-91

BAY STATE GAS COMPANY'S
MOTION FOR LEAVE TO INTERVENE
AS LIMITED PARTICIPANT

Pursuant to 220 C.M.R. § 1.03, Bay State Gas Company ("Bay State")

hereby moves the Department of Telecommunications and Energy ("Department") to grant it leave to intervene as a limited participant in this proceeding. As a limited participant, Bay State requests that it be permitted to obtain copies of all pleadings, discovery responses, and briefs. If appropriate, Bay State also seeks the right to submit briefs or comments to the Department in accordance with any further procedural schedule that the Department may establish for this proceeding.

In support of its motion to intervene and as good cause to permit its intervention, Bay State would state as follows:

1. Bay State is a jurisdictional gas company as defined in G.L. c. 164, §1
2. Bay State's principal office is 300 Friberg Parkway, Westborough, Massachusetts 01581.
3. On October 5, 2004, Boston Gas Company d/b/a Key Span Energy Delivery New England ("Boston Gas") filed with the Department a Firm Vapor Service ("FVS") Agreement between Boston Gas and Distrigas of Massachusetts LLC ("DOMAC").

4. The Department may, in its discretion, allow any person to intervene if that person is "substantially and specifically affected" by the proceeding. G.L. c. 30A, § 11 and 220 C.M.R. § 1.03.

5. Bay State is substantially and specifically affected because:

- a. Bay State has contracts with DOMAC and will be negotiating contracts with DOMAC in the future; and
- b. the outcome of this proceeding may directly impact Bay State because Bay State may seek to negotiate the same or similar terms and provisions for the same or similar services with DOMAC.

6. No other party can adequately protect Bay State's interests.

WHEREFORE, for all the reasons set forth, Bay State Gas Company respectfully requests that the Department of Telecommunications and Energy grant its motion for leave to intervene as a limited participant and take any such further action as it may deem necessary and appropriate.

Respectfully submitted,

BAY STATE GAS COMPANY

By its attorney,



Patricia M. French
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Dated: November 1, 2004